

In the matter of MM 99-325
A Proposal to Kill Radio As We Know It

These are reply comments generally directed toward any and all comments of advocacy for In Band-On Channel (IBOC) Digital Audio Broadcasting filed by the broadcast industry and the corporations who dominate it, including (but not limited to): Clear Channel Communications, Infinity Broadcasting, ABC/Disney, Emmis, Citadel, Journal Broadcast Group, Entercom, Salem, and the National Association of Broadcasters. Add in USA Digital Radio/iBiquity for good measure.

I have waited until the last minute, but that's exactly what the situation seems to call for. Because as the Commission prepares to act, the last few minutes for the viability of the radio broadcast spectrum as we know it are running out.

Let's face it: the Commission has already made up its mind on MM 99-325. Its mind is made up for by the industries and corporations who do business with it. You, as a governing body and an institution of government, long ago relinquished the mission of acting in the public interest, convenience and necessity so mandated by your enabling legislation. The Federal Communications Commission could not even successfully wrestle with the technological implications found in the LPFM proposal of 2000 (MM 99-25); how could I expect it to adequately deliberate and consider radio's entire transition to digital?

Interference concerns alone caused by the doubling of every FM station's bandwidth under the In-Band On-Channel (IBOC) digital broadcast standard should give the Commission pause; yet again, it has been lulled into complacency with data and "science" completely produced by and for the interests of IBOC's developers and its benefactors; namely, the makers of the technology, the makers of the consumer devices that will use the technology, and the broadcast industry itself.

In case you have not recognized the future (and it's been knocking at your door for years now), digital radio is not really about radio at all. It is a blatant grab for additional bandwidth by the entrenched broadcast interests so that they may use that bandwidth to create additional revenue streams.

Did it ever seem ironic to you that Jeff Smulyan, CEO of Emmis Communications, noted "competition" as an incentive for you to approve the IBOC-DAB standard? Can you show me how it is NOT ironic that these words emanate from a man who occupies a privileged position in an industry where competition is artificially suppressed by the need for a broadcast license, an industry that now more resembles a gentlemen's club than an open marketplace?

In such an environment, exactly where is the need for competition? The competition is not within the radio industry - it is with other industries, like telecommunications service providers.

Please direct your attention to WKRC-TV in Cincinnati, Ohio. WKRC-DT is on the air, and is a wholly-owned property of Clear Channel Communications. WKRC is Clear Channel's test facility for a new form of internet service provider, which uses "extra bandwidth" on the DTV signal to provide 256 Kbps wireless downstream connectivity to the home. The new service, called Delta V, is essentially using bandwidth on the television spectrum for purposes wholly unrelated to broadcasting. The conversion to DTV has allowed WKRC to become a wireless ISP.

Is this what the FCC really has in mind for the future of broadcasting? Is this what 'conversion' means? Each communications industry merging with another, until the message, messenger AND medium are totally unrecognizable, sharing a single face and voice? Because this is what you are unleashing. Which sounds more lucrative to you: scrounging quarter-to-quarter hunting advertising dollars or building a firm subscriber base, all chipping in monthly fees to your bottom line? At the expense of spectrum supposedly allocated for a completely different function and form of communication?

If this technology works with single television stations, who are only allotted one channel and whose parent corporation almost always owns only one in a market (for now), imagine when the same technology is imported to work on the digital sidebands of radio signals. In Madison, WI where I live, Clear Channel owns six radio stations; that's 1.38 MHz worth of sidebands for potential wireless internet service use that you will be literally giving them on a platter. The implications, multiplied over hundreds of markets large and small, are staggering.

I predict that radio itself, as we know it today, will not be improved at ALL by an "upgrade" to the IBOC-DAB standard. What I see in this proposal is a golden opportunity for the radio broadcast industry to crack open entry into the telecommunications services market, able to better challenge the likes of AT&T, Comcast, and AOL/Time Warner for a slice of the pie that's drawn so many people away from over-the-air broadcasters in the first place - cable television, and now, broadband internet access.

The day the radio industry puts six stations on one radio channel, as the original claims about the potential of IBOC-DAB so fluttered, I will eat my crustiest shorts on the steps of the Portals.

Ultimately, though, you will do what you have already decided. You will approve the IBOC standard because the vested interests have too much invested in you, regardless of the consequences to the medium in question itself. I have already come to the conclusion that the media landscape in America must get worse, possibly much worse, before it will start to get better. Maybe, in some small way, following the course you've set on this proposal will help to speed that process along. I can only hope so, because with the public effectively silenced, we will have no other recourse than to force change. If this is what you call "progress," then bring it on!

I would also like to add my voice of agreement to the comments and reply comments filed by the Virginia Center for the Public Press and the Amherst Alliance; in many ways, they better express my own sentiments than I can.

Regards,

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